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UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA - SANTA ANA DIVISION

In re:

JAMIE LYNN GALLIAN,

Debtor.

Case No. 8:21-bk-11710-SC

Chapter 7

Adv. No. 8:21-ap-01095-SC

**MOTION TO CONTINUE PRE-TRIAL
CONFERENCE**

THE HUNTINGTON BEACH GABLES
HOMEOWNERS ASSOCIATION, a California
nonprofit mutual benefit corporation,

Plaintiff,

vs.

JAMIE L GALLIAN, an individual,

Defendants.

Pre-Trial Conference

Hearing Date: October 22, 2024

Time: 1:30 p.m.

Courtroom: 5C - Virtual

**TO THE HONORABLE SCOTT C. CLARKSON, UNITED STATES
BANKRUPTCY JUDGE, AND ALL PARTIES ENTITLED TO NOTICE:**

1 This Motion to Continue Pre-Trial Conference (the “Motion”) is filed by Plaintiff, The
2 Huntington Beach Gables Homeowners Association (“Plaintiff”). This Motion is made with
3 reference to the following recitals:

4 **RECITALS**

5 1. On or about July 9, 2021, Jamie Lynn Gallian (“Debtor”) filed a voluntary
6 petition under Chapter 7 of the Bankruptcy Code.

7 2. On October 18, 2021, Plaintiff filed a Complaint (the “Complaint”) to (1) Set
8 Aside Voidable Transfer; (2) for Declaratory Relief Establishing Validity of Lien, (3) to Object
9 to Discharge Under Section 523(a)(2) (Actual Fraud), and (4) to Object to Discharge Under
10 Section 727(a)(5), initiating the above captioned adversary proceeding on October 18, 2021 (the
11 “Adversary Proceeding”).

12 3. This Adversary Proceeding is one of several pending against Debtor.

13 4. On May 23, 2023, in *Houser Bros. Co. v. Gallian*, Adv. No. 8:21-ap-01097-SC,
14 the Court entered judgment for Houser Bros. Co. and against Debtor for denial of discharge
15 under 11 U.S.C. §§ 727(a)(2)(A), (a)(4), and (a)(5).

16 5. On July 31, 2024, in *Gallian v. Houser Bros. Co. (In re Gallian)*, Case No. 8:23-cv-
17 00961-WLH, the U.S. District Court entered its order affirming the Court’s judgment denying
18 Debtor’s discharge. It does not appear that Debtor timely appealed the District Court’s order
19 affirming the Court’s judgment, which makes the judgment final and non-appealable.
20 Nevertheless, Plaintiff seeks one further continuance to determine whether this action must be
21 dismissed as moot.

22 6. Plaintiff seeks to continue the pre-trial conference to January 14, 2025 at 1:30 p.m.

23 7. The Motion does not constitute a waiver of any rights.

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CONCLUSION

WHEREFORE, based on the foregoing recitals, Plaintiff requests the hearing on the Pre-Trial Conference to be continued to January 14, 2025 at 1:30 p.m., or as the Court deems appropriate.

Dated: September 23, 2024

Respectfully submitted,
GOE FORSYTHE & HODGES LLP

By: /s/ Robert P. Goe
Robert P. Goe
Brandon J. Iskander
Attorneys for Huntington Beach Gables
Homeowners Association

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 17701 Cowan Avenue, Suite 210, Building D, Irvine, CA 92614

A true and correct copy of the foregoing document entitled (*specify*): **MOTION TO CONTINUE PRE-TRIAL CONFERENCE** will be served or was served (**a**) on the judge in chambers in the form and manner required by LBR 5005-2(d); and (**b**) in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On (*date*) September 23, 2024, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

- **Robert P Goe** kmurphy@goeforlaw.com, rgoe@goeforlaw.com; goeforecf@gmail.com; Goe.RobertP.R@notify.bestcase.com
- **Jeffrey I Golden (TR)** lwerner@go2.law, jig@trustesolutions.net; kadele@go2.law; C205@ecfcbis.com
- **Brandon J. Iskander** biskander@goeforlaw.com, kmurphy@goeforlaw.com
- **Mark A Mellor** mail@mellorlawfirm.com, mellormr79158@notify.bestcase.com
- **United States Trustee (SA)** ustpreion16.sa.ecf@usdoj.gov

2. SERVED BY UNITED STATES MAIL:

On (*date*) September 23, 2024, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows: Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

Jamie Lynn Gallian
16222 Monterey Ln Unit 376
Huntington Beach, CA 92649

Michael D Poole
Feldsott & Lee
23161 Mill Creek Dr Ste 300
Laguna Hills, CA 92653

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL:

(*state the method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) September 23, 2024, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows: Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

The Honorable Scott Clarkson, USBC
411 West Fourth Street, Suite 5130, Courtroom 5C
Santa Ana, CA 92701

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

September 23, 2024

Danielle Cyrankowski

/s/ Danielle Cyrankowski

Date

Printed Name

Signature